



PTO/SB/30 (8/2000)

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA).

Application Number	09/155,327
Filing Date	March 29, 1999
First Named Inventor	Suzanne Cory, et al.
Group Art Unit	1633
Examiner Name	S. Kaushal
Attorney Docket Number	11686

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29). Instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE Practice.

1. **Submission required under 37 C.F.R. § 1.114.**

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed _____ on _____
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other _____
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other Preliminary Amendment, Exhibits A&B Marked up version of Amendment & Seq List, Substitute sheets of Figures 9A and 9B

2. **Miscellaneous** Substitute paper & computer-readable form of Sequence Listing, & Statement

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. Other _____

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-1013/SSMP
 - i. RCE fee required under 37 C.F.R. § 1.17(e)
 - ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) (\$110.00 one month ext.) (enclosed)
 - iii. Other _____
- b. Check in the amount of \$ 740.00 enclosed
- c. Payment by credit card (Form PTO-2038 enclosed)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	Frank S. DiGiglio	Registration No. (Attorney / Agent)	31,346
Signature		Date	November 9, 2001

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Name (Print / Type)	Michelle Mustafa	Date	November 9, 2001
Signature			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND COMPLETED FORMS TO THE FOLLOWING ADDRESS: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Suzanne Cory, et al.

Examiner: S. Kaushal

Serial No: 09/155,327

Art Unit: 1633

Filed: March 29, 1999

Docket: 11686

Corresponding to:

Int'l App. No.: PCT/AU97/00199

Dated: November 9, 2001

Int'l Filing Date: March 27, 1997

For: NOVEL MAMMALIAN GENE, BCL-W,
BELONGS TO THE BCL-2 FAMILY
OF APOPTOSIS-CONTROLLING GENES

Assistant Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231

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PRELIMINARY AMENDMENT

Sir:

In response to the Final Action dated April 9, 2001 and in connection with the filing of a Request for Continued Examination (RCE) pursuant to 37 C.F.R. §1.114, please enter the following preliminary amendment in the above-identified case.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on November 9, 2001.

Dated: November 9, 2001

Michelle Mustafa